

Dear FCC

In response to the FCC Declaratory Ruling and Second Further Notice of Proposed Rulemaking of April 18th, 2002, Docket No. 98-67, I would like to point out that neither Worldcom nor Sprint currently have the technology to provide Speech to Speech relay service through the new IP Relay. However, I realize that both providers are still working the wrinkles out of the new service and they are striving to implement the capability of bringing their services into compliance by providing e-911 Public Safety Answering Points (PSAP)s as well as being able to determine the information necessary to separate intrastate and interstate calls for billing purposes. Within the state of California, the California Public Utilities Commission (CPUC) and its operational entity for implementing TRS, the Deaf and Disabled Telecommunications Program (DDTP), have noticed a shift in telecommunications market share away from public switched telephone networks (PSTN) to newer technologies such as wireless and Internet based voice and data traffic. It would be difficult, if not impossible, to determine how fast the change is occurring and even more difficult to determine the proper allocation of proportionally unknown market shares, not to mention new cost efficiencies in the telecommunications industry, in part (i.e., voice traffic), or as a whole.

I feel that due to population shifts, it would be extremely speculative to attempt to base allocation of intra and interstate calls on historical data. To complicate matters, differing population groups are likely to have different technology adoption patterns whether or not they cross state borders. However, I can bet that industry will only obfuscate the process.

In light of the innumerable unknowns, and the one known fact that government, more often than not, is bound by tremendous institutional inertia, I find that the Federal Communications Commission would do great justice to the populations of citizens who have been and still are underserved by the sizeable, but industrious, telecommunications industry by this declaration. Private businesses should be allowed significant space to further innovate into this arena, with waivers from some rather unenforceable regulations.